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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-ninth session

SUMMARY RECORD (PARTIAL)* OF THE 750th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 14 January 2002, at 10 a.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 10.10 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the twenty-ninth session of the Committee on the Rights of the Child.

STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

2. The CHAIRPERSON welcome Ms. Mary Robinson, United Nations High Commissioner for Human Rights, and invited her to address the Committee.

3. Ms. ROBINSON (United Nations High Commissioner for Human Rights) thanked the Committee on the Rights of the Child for the opportunity to express the appreciation of her Office for its work.

4. The year 2002 would be an especially busy one for the Committee. In addition to it regular activities, it would work on the drafting of several general comments, adopt reporting guidelines for the Optional Protocol on the sale of children, contribute to and participate in the General Assembly special session on children in May and begin work under the two Optional Protocols to the Convention on the Rights of the Child.

5. The tragedies that had occurred in the United States of America on 11 September and their aftermath had absorbed the attention of the United Nations, including the Office of the High Commissioner for Human Rights (OHCHR). In the case of Afghanistan, children remained the first victims. One of the first challenges for the new interim Government in Kabul would be to ensure security, food, health and education for all children.

6. The terrorist attacks of 11 September had naturally overshadowed the results of the World Conference against Racism, which had drawn to a close in Durban a few days earlier. But in the aftermath it had become clear that those events had made the World Conference's commitment to eliminating discrimination and racism even more relevant.

7. United Nations Headquarters in New York was currently the site of a stimulating art exhibition selected from hundreds of art works created by children for the World Conference. Thousands of young people from 61 cities in 36 countries had produced paintings, written poems and essays or signed pledges against racism as their contribution to the World Conference. In addition, after the 11 September attacks many young people from different countries had responded with artwork on topics of peace, hope and tolerance, under the theme "against terrorism".

8. The exhibition had integrated the expressions and reactions of young people both to 11 September and to the Durban youth exhibition under the heading ART - art against racism, intolerance and terrorism - reflecting the need to pursue implementation of the Durban Programme of Action.

9. She was pleased to inform the Committee that the final version of the Durban Declaration and Programme of Action was available. It had been put on the OHCHR Web site and would soon be published in book form. Copies of the texts would be provided to the Committee during the session. The World Conference texts should be endorsed by the General Assembly. In that connection, at the beginning of 2002 she had set up an Anti-Discrimination Unit, as recommended by the Durban Programme of Action, to take the lead in developing and implementing OHCHR's follow-up role.

10. The Durban documents having been agreed, she would write again to all the human rights treaty bodies to encourage them to implement the Declaration and Programme of Action. She expressed her gratitude to the Committee for undertaking, at its last session in 2001, to invite States parties to inform it in all forthcoming reports of any relevant follow-up to their Durban commitments. The Committee had also decided to make systematic reference to implementation of the Durban documents in its concluding observations on State reports. Those decisions offered a model that the other treaty bodies might consider.

11. The Conference on School Education in Relation to Freedom of Religion and Belief, Tolerance and Non-Discrimination, held in Madrid from 23 to 25 November, had provided an important opportunity to consider a challenging and sensitive issue following both 11 September and the Durban Conference. The initiative had been taken by Abdelfattah Amor, Special Rapporteur on freedom of religion or belief, in partnership with the Government of Spain. The main objective of the Conference had been to formulate a strategy on the prevention of intolerance and discrimination based on religion or belief by redesigning the role that school education should play at primary and secondary level. The Conference had been attended by some 800 participants, including 80 representatives of States; the Committee's contribution had been very well received. Its General Comment on the aims of education had been given wide circulation and had proved to be a useful tool in formulating recommendations.

12. The Madrid Final Document recommended ways and means by which curricula, textbooks and teaching methods should help promote tolerance and combat discrimination based on religion or belief. She hoped that the Madrid Declaration would be of long-term value to the Committee in its work.

13. The General Assembly special session on children, which was mandated to assess progress made by States in implementing the Declaration and Plan of Action of the 1990 World Summit for Children, had been postponed after the tragic events in the United States. The special session, now to be held from 8 to 11 May 2002 in New York, would be of considerable importance for the Committee's work. Her Office was actively supporting the preparations for that event and had offered its views on the final document to be adopted. She had consistently emphasized the need for a rights-based approach to children's issues, drawing upon the Convention on the Rights of the Child and other international human rights instruments. She had sought equally to link the protection of children's rights to the promotion of a culture of human rights in all countries, including through human rights education. OHCHR had also emphasized the need to respect and protect the human rights of persons under 18 who were in conflict with the law.

14. The special session would have particular significance for the Committee's monitoring role, in that States were likely to include in their reports information on measures taken and results achieved in implementation of the 1990 Plan of Action. That would provide an opportunity for the Committee to link the commitments made at the special session with the Convention and its reporting process.

15. At its latest session, the General Assembly had agreed to support the Committee's request to the Secretary-General to undertake a comprehensive and in-depth study on children and violence. That request had been the principal recommendation to result from the Committee's day of discussion on children and violence at its twenty-eighth session. The proposed study was an important breakthrough in raising awareness of that issue and beginning debate on how best to prevent and combat all forms of violence against children. OHCHR was committed to supporting the study along with other agencies, including the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO). The input of the Committee, non-governmental organizations (NGOs), academic institutions and other expert groups would be very important in ensuring that the study made a difference. In that connection, she had attended the Tampere Conference in November 2001 on the theme of children, torture and other forms of violence, organized by the World Organization against Torture with the support of her Office. The Committee's Chairperson had also been present at the meeting, which had discussed ways to prevent, combat and eliminate all forms of violence against children.

16. The two Optional Protocols to the Convention were in a crucial phase of their development. The Protocol on the sale of children, child prostitution and child pornography would enter into force on 18 January 2002, and the Protocol on the involvement of children in armed conflicts on 12 February 2002. To date, 13 States had ratified the Optional Protocol on children in armed conflicts, and 16 had ratified the Protocol on the sale of children.

17. The Second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan (17-20 December 2001), which a number of Committee members had attended, had also been significant in the light of the future entry into force of the Optional Protocol on the sale of children, child prostitution and child pornography. OHCHR had participated in the preparatory process of that important event. Its contribution had been to argue for the principle of non-criminalization of child victims of commercial sexual exploitation. Children who became victims of such abuses should never be considered to be the perpetrators of those offences under domestic law. She was pleased to note that the Yokohama Declaration adopted at the Conference accepted that principle.

18. Regarding the amendment to article 43, paragraph 2 of the Convention, increasing the membership of the Committee from 10 to 18, she noted that the Secretary-General had recently received a number of new notifications; with 112 notifications of acceptance from States parties registered so far, only 18 notifications were needed in order for the amendment to enter into force. The Committee, UNICEF and her Office had taken a number of steps to encourage States parties to approve the amendment. She proposed working informally with the Chairperson to obtain those notifications in time for the special session in May.

19. She welcomed the Committee's decision at its latest session to dedicate its next day of discussion to the issue of the private sector and child rights, a topic on which a great deal of work still needed to be done and for which the expertise of the Committee and its partners was welcome. OHCHR was taking part in the debates on the human rights dimension of the business sector and corporate responsibility and it was also active in the Global Compact project, which involved a large number of major private companies. The Committee's day of discussion would provide a chance to deepen understanding of the social responsibilities of the private sector, including the way that privatization of servicing affected the enjoyment by children of their human rights.

20. In closing, she expressed her appreciation for the Committee's work, which was extremely helpful to OHCHR's activities relating to children. For its part, her Office would continue to strive to provide the Committee with high-quality support in any way it could.

21. The CHAIRPERSON thanked Ms. Robinson for her kind words and expressed gratitude to her Office for its invaluable support. He accepted the offer to work with her on seeking the notification needed from 18 States parties in order to adopt the amendment to article 43, paragraph 2 of the Convention. It was to be hoped that OHCHR would also continue to support the Committee's efforts to draft general comments, which were an important part of the 2002 agenda, and its plan to examine, on its day of discussion, the role of the private sector, a topic that he believed had yet to be seriously considered by any treaty-monitoring body.

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (CRC/C/112)

22. The agenda was adopted.

SUBMISSION OF REPORTS BY STATES PARTIES (agenda item 3)

23. Mr. DAVID (Secretary of the Committee) said that, since the previous session, the Committee had received four initial reports, from Eritrea, Kazakhstan, Zambia and Brunei Darussalam, and two second periodic reports, from Japan and India. That brought the total number of reports received by the Committee since its inception to 220, including 167 initial reports and 53 second periodic reports. Of those, the Committee had considered 164. To date, 26 initial reports and 88 second periodic reports were overdue.

The discussion covered in the summary record ended at 10.55 a.m.